

AUSTIN COUNTY COMMISSIONERS COURT ORDER

State of Texas §
County of Austin §

ORDER RESTRICTING OUTDOOR BURNING

WHEREAS, circumstances present in all or part of the unincorporated area of the county create a public safety hazard that would be exacerbated by outdoor burning:

IT IS HEREBY ORDERED by the County Judge of Austin County that outdoor burning is restricted in the unincorporated area of the county, unless the restrictions are terminated earlier based on a determination made by the Texas Forest Service, this Court or the County Judge. This Order is adopted pursuant to local Government Code §352.081, and other applicable statutes. This Order restricts outdoor burning as follows:

1. The use of combustible materials in an outdoor environment by any person is prohibited. Combustible materials include, but are not limited to burning of trash, brush and open campfires and materials used outdoors in activities such as welding and any other activity that could result in a fire.
2. Outdoor welding shall be allowed under the following circumstances:
 - A. Welding, cutting and grinding associated with welding activities shall not take place when the wind is over 15 miles per hour;
 - B. The welder must notify the Austin County Sheriff's Department before any welding, cutting or grinding begins;
 - C. All grass, leaves, brush and other easily combustible materials must be cleared within a fifty (50) foot radius surrounding the area where the activity is to take place before any welding, cutting or grinding begins; and,
 - D. A spotter with water and a ready pressurized delivery system must be on hand before any welding, cutting or grinding begins and remain on hand until the activity is completed.
3. Outdoor use of above ground cooking grills will be allowed in a safe area clear of debris.

It is further ORDERED that in the event of a local disaster declaration, the use of county equipment to help control fires on private property is hereby authorized when necessary to protect the public interest and safety.

This Order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighting training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agriculture crops; or (4) burns that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resource Code, and meet the standards of Section 153.047, Natural Resource Code.

In accordance with the Local Government Code § 352.081(h), a violation of this order is a Class C Misdemeanor, punishable by a fine of up to \$500.00.

The purpose of this order is the mitigation of the public safety hazard posed by wildfires due to severe drought conditions by restricting use of combustible materials. The County Judge may rescind this order upon a determination that the circumstances that required the order no longer exist.

Approved and so ordered this the 24th day of July, 2023.

Tim Lapham
Austin County Judge